

Judicial Information Systems Council Meeting (JIFFY)

Meeting Minutes

Judicial Information Division

Thursday, October 17, 2013

9:36 - 11:56 a.m.

**JIFFY Voting Members Present:**

Judge Michael Bustamante, Chair  
Judge Karen Mitchell, Vice Chair  
Judge Duane Castleberry  
Greg Ireland  
Tobie Fouratt  
Judge Richard Knowles  
Judge Stan Whitaker  
Robert Mead  
Judge Alan Kirk  
Dennis Jontz  
Judge Camille Martinez-Olguin(video)

**JID Staff Present:**

Tom Feilmeier  
Grace Catanach  
Trixi Bubemyre  
Annie Hall  
Pat Mente  
Helen Miller

**Guests Present:**

Cynthia Pacheco  
Deb Williamson  
Ebany Martinez-Finley  
Kent Kiehl  
Amy Rivera  
Shari Weinstein  
Frank DiMaggio(video)  
Jamie Goldberg  
Oscar Arevalo  
Orlando Ulibarri(video)  
Judge Sharon Walton(video)  
Karen Janes  
Judge Gerald Baca(video)  
Pam Sanchez

**Non Voting Members Present:**

Artie Pepin  
Steve Prisoc  
Renee Cascio  
Chief Justice Petra Jimenez-Maes

**I. Approval of Agenda.** Judge Bustamante called the meeting to order at 9:36am and moved up Data Requests to the top of the agenda to accommodate the guests who were presenting from the UNM Mind Institute.

- **Data Requests.** Dr. Kent Kiehl and Dr. Ebany Martinez-Finley made a request to JIFFY to download public records information in JID's data base in order to improve the Mind Institute's understanding of variables

that promote reoffending and resistance to offending. Dr. Kiehl stated that the goal is to predict what treatment variables affect recidivism without publishing, discussing or disclosing information about any individual or small groups of individuals participating in the research. The goal is to assess whether the treatment they are receiving is effective in reducing relapse abuse or other antisocial behavior and help educate in order to change policy.

Steve Prisoc stated that he envisions having one data extract that will be continuous over time, performed on a timetable which will provide the same data to UNM Mind Institute and Baylor University Medical School. JID will provide the information that they have available which may not include every piece of data requested by the two universities. Mr. Prisoc noted that he and Mr. Pepin receive and respond to similar IPRA requests very frequently. At the court administrators meeting, it was agreed that the court administrators will provide their (Odyssey data) requests, to Mr. Prisoc and JID will generate them on a statewide basis rather than one district at a time.

**Judge Knowles moved to approve the request by UNM Mind Institute for archival records of arrests, convictions, admission and discharge dates of convicted felons in New Mexico. Judge Kirk seconded. A discussion ensued which led to Judge Knowles withdrawing his motion. Judge Bustamante tabled the request and put it on the agenda for the November JIFFY meeting.**

***Action Item: JID to send to JIFFY the written request by UNM Mind Institute for archival records of arrests, convictions, admission and discharge dates of convicted felons in New Mexico.***

## **II. Budget and Revenue.**

**JID Revenue Pipeline.** Oscar Arevalo presented the JID Revenue Pipeline and reported that fund balance was up in September and that collected revenue is \$40,000 higher than last year at this time. A balance of \$77,100 was carried over from last year, which reduced the SCAF administrative budget by that same amount and moved it over

to the CMS Odyssey category. Mr. Arevalo explained that a Realignment of Budget (ROB) is executed in order to align each budget correctly. This is to ensure that the appropriate expenditure is allocated to each of the department budgets.

**MVD Collections Unattached to a Citation.** Mr. Arevalo reported that MVD is receiving money without having a citation and flowing the money into regular distribution presuming that the money is for a state citation. A number of those payments are in fact municipal citations. MVD said that they were going to short deposits in order to account for the money that was erroneously deposited into the various funds. MVD is planning to short the funds on the SCAF October transfer. MVD requested that the AOC return the monies that MVD sent without a citation, to which Artie Pepin replied that the money had either been spent by the various entities or it had been reverted back to DFA. Mr. Pepin stated that he intends to wait until MVD makes their distribution for October, find out how much AOC had been shorted and determine what action is appropriate. Judge Kirk explained that this has been going on for fifteen years. The uniformed officer does not explain to the defendant where to send the citation and the citizen sends the penalty to the state. The municipality gets no response from the citizen because their ticket was sent to MVD, and proceeds to enter a failure to appear. The citizen does not appear in court because they think that they have paid their ticket and the municipality then issues a warrant. The citizen then shows up in court with their canceled check and is told to write another check to the municipality and file a form to be reimbursed by MVD. Judge Mitchell pointed out that MVD is now taking online payments without a citation.

### **III. JIFFY Subcommittee Activities.**

**Odyssey Judges User Group.** Judge Mitchell reported that OJUG met this morning. Judge Singleton, chair of the Disposition Code Committee, requested some guidance and approval regarding all of the proposed ADR event codes. Instead of having disposition codes for ADR resolutions (including mediation or arbitration), they would be captured in event codes. This would allow for identity of certain stages of the case, to gather information on the success rate of those programs, timeliness of resolution and the type of resolution. The Disposition Code Committee brought thirty nine codes, some of which they were asking to have eliminated because they were duplicates. Odyssey Judges User Group approved the recommendation by the Disposition Code

Committee to have those ADR codes be captured as event codes. There was a discussion concerning competency issues that are transferred from a lower court to district court. The Disposition Code Committee will make recommendations at the next OJUG meeting on the competency issue and the issue regarding bankruptcy codes utilized in the lower courts versus district court.

- OJUG discussed Rule 1-099, the matter concerning reopening of closed collection cases and whether or not to charge a filing fee. Courts around the state differ on the question of when to charge a filing fee.

**Judge Mitchell moved on behalf of Odyssey Judges User Group (OJUG) to adopt the event code procedure developed by the Odyssey Disposition Code Committee. Greg Ireland seconded. No opposition noted. Motion carried.**

***Action Item: Annie Hall to send out the the OJUG handout entitled “Proposed ADR Event Codes” to the members of JIFFY.***

***Action Item: Artie Pepin to send out a request to the district courts to determine court procedure with regards to the charging of filing fees in cases that have been reopened. The findings will be reported to OJUG at the November meeting.***

**Odyssey Steering Committee.** Judge Mitchell reported that the Odyssey Steering Committee met yesterday and that the rollout is on schedule to begin February 28, 2014. Metropolitan Court together with all of the other state courts will upgrade to V.13 by December 2013. Traffic Arraignment and Browse Docket are still on schedule for delivery December 2013.

- **Risks and Issues.** Judge Mitchell discussed the risks to the BCMC Odyssey project and how significant the loss of personnel is to the project. The primary trainer for the Odyssey Metropolitan Court conversion had a major accident and will be out of work for an extended period of time. The other major risk to the project is the hardware risk. The AS400 went down at BCMC on Monday, October 14 and did not go back up until late morning on Tuesday, October 15. Judge Mitchell explained that when systems go down, courts need to have alternative procedures in place to continue running with minimal disruption.

- **Forms.** Judge Mitchell stated that the OSC Executive Committee met last week with the Forms Subcommittee. There are approximately forty critical forms that JID is working on to incorporate into Odyssey that should be completed in time for the BCMC go-live in February. Karen Janes added that most of the forms being used in magistrate court will be able to be moved over to Metropolitan Court without any changes needed. The AS400 forms have issues within the Supervision Module. Metropolitan Court has approximately one hundred seventeen forms that are used that may need information to be pulled from Odyssey. The discussion centered on whether the Supervision Module would be implemented simultaneously with the other modules. Judge Walton explained that the one hundred seventeen forms consisted of all of the forms at Metropolitan Court. BCMC staff will go over the list that had been compiled and identify those forms that are currently being assisted with AS400 verses those forms that are manually completed and significantly reduce the number of forms in use. Steve Prisoc stated that JID needed to assess the impact of going live with the Supervision Module and Odyssey Case Management at the same time.
- **Data Conversion and Configuration.** The conversions are going well and are proceeding according to the projected timeline.
- **Testing and Validation.** Testing and validation is proceeding as planned. Odyssey Case Management training is scheduled for the entire month of February 2014 with sixty to seventy people attending the weekly training session.

*Action Item: Steve Prisoc and Tom Feilmeier to assess the feasibility of going live with the Supervision Module concurrently with Odyssey Case Management and present their findings at the next JIFFY meeting.*

#### **IV. Review and Approval.**

**Video Remote Interpretation (VRI) Project Initiation.** Steve Prisoc stated that JID is doing a limited pilot on Video Remote Interpretation (VRI) as a method for allowing interpreters, (spoken and sign language) to use video remotely to perform interpretation

during a court proceeding. Mr. Prisoc explained that it is necessary to evaluate if this project would reduce the impact of interpretation services on the jury and witness fund.

**Self Represented Litigant (SRL) Pilot Project.** Artie Pepin presented the handout entitled “SRL Project Plan V3.0”. The pilot is being performed beginning on October 30 and is scheduled to run for thirty days at the 2<sup>nd</sup> Judicial District Court. The user goes to the courthouse and uses a computer in the lobby to fill out the form. The computer then prints out the form with all of the information given by the customer and the person can then file the application. The entire project begins on September 2 and runs through December 12, 2013. The ultimate goal is to have this available on line so that all self represented litigants have the ability to file electronically.

**Pilot in Torrence County for Magistrate E-payments.** Renee Cascio reported that Torrence County and then Dona Ana courts will have a computer in the lobby where a person who owes money has the ability to pay with a credit card. They will then select their case and enter their credit card number and the payment is automatically added to the case. Chase Payment Tech (credit card processor for Tyler) will receive the money, a report will be sent to the court where the money is then deposited. The person making the payment will receive an emailed credit card payment receipt.

**Tyler DataXchange.** Tom Feilmeier presented the handout entitled “tyler dataXchange” and explained that it is a service that allows the courts to virtually connect Odyssey environments across counties and states in order to share data with each other. The data sharing happens at a per user level. Steve Prisoc stated that New Mexico Department of Public Safety does not enter information into NCIC or the FBI’s Triple Eye System. As a result of this, other states do not have information on New Mexico court adjudications. Other states would be able to make per defendant inquiries as to the adjudication in that particular case. Tyler does not charge for this service.

**Odyssey Public Access (OPA).** Tom Feilmeier referred to the handout which highlights the present versus the planned future of Odyssey Public Access (OPA). The left side of the page shows what OPA consists of today, the right side of the page shows that in addition to what is available today that OPA will have E-payments as well. Level 2 gives added information to public defenders and contract attorneys and Level 3 offers even more in depth information to criminal justice partners. The ultimate goal is to

eliminate Caselookup. The future OPA would make support easier by having a common portal and common system. Steve Prisoc stated that most of this will have to be implemented for the Metropolitan Odyssey conversion. The future OPA will provide the appeals from BCMC that are handled by contract attorneys with information that they need without direct Odyssey access.

**V. Future Meetings.** The next meeting will be held on November 21, 2013, 9:30 am at JID in Santa Fe.

**VI. Adjourn.** Judge Bustamante adjourned the meeting at 11:56 am.